

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**GEORGIA SOUTHWESTERN
RAILROAD, INC., a Corporation**

Plaintiff,

v.

AMERICUS C. MITCHELL, JR.,

Defendant.

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2:06-CV-00003-DRB

NOTICE OF SETTLEMENT CONFERENCE AND MEDIATION

COMES NOW Plaintiff Georgia Southwestern Railroad, Inc., by and through the undersigned counsel in the above-referenced matter and submits to this Honorable Court that on March 6, 200, counsel for the parties in this action met at the offices of David E. Allred for the purposes of discussing settlement. Counsel for the Plaintiff submitted to counsel for the Defendant an offer of settlement for the damage to the bridge trestle located at Mile Post 338.9 on White Oak Line. On March 27, 2007, counsel for the Plaintiff submitted to counsel for the Defendant an offer of settlement for Plaintiff Georgia Southwestern Railroad, Inc.'s loss of use claim. To date, the Plaintiff has received no response from the Defendant concerning the Plaintiff's offer of settlement. Plaintiff Georgia Southwestern Railroad, Inc. submits that this matter is appropriate for mediation and requests that this Honorable Court order mediation in this matter.

Respectfully submitted this the 29th day of March, 2007.



ADRIAN D. JOHNSON (JOH172)
Attorney for Plaintiff Georgia Southwestern
Railroad, Inc.

OF COUNSEL

PARNELL & CRUM, P.A.
Post Office Box 2189
Montgomery, Alabama 36102-2189
(334) 832-4200
(334) 293-3550

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon the below listed party by placing a copy of same in the United States Mail, postage prepaid and properly addressed this the 29th day of March, 2007.

David E. Allred
D. Craig Allred
David E. Allred, P.C.
7030 Fain Park Drive, Suite 9
Montgomery, AL 36117

s/ Adrian D. Johnson
OF COUNSEL